

SENATE BILL 179 (LRB -2654)

An Act to create 196.374 (5) (bm) 3. of the statutes; relating to: calculation of operating revenues of certain energy utilities for the purpose of determining spending on certain energy efficiency and renewable resource programs.

2007

05-09.	S.	Introduced by Senator Plale ; cosponsored by Representative Montgomery .	
05-09.	S.	Read first time and referred to committee on Commerce, Utilities and Rail	209
05-10.	S.	Public hearing held.	
05-31.	S.	Executive action taken.	
06-01.	S.	Report passage recommended by committee on Commerce, Utilities and Rail, Ayes 7, Noes 0	240
06-01.	S.	Available for scheduling.	
06-25.	S.	Placed on calendar 6-26-2007 by committee on Senate Organization.	
06-26.	S.	Read a second time	269
06-26.	S.	Ordered to a third reading	269
06-26.	S.	Rules suspended	269
06-26.	S.	Read a third time and passed	269
06-26.	S.	Ordered immediately messaged	269
07-06.	A.	Received from Senate	230
07-06.	A.	Read first time and referred to calendar	230
07-10.	A.	Read a second time	235
07-10.	A.	Ordered to a third reading	235
07-10.	A.	Rules suspended	235
07-10.	A.	Read a third time and concurred in	235
07-10.	A.	Ordered immediately messaged	235
07-11.	S.	Received from Assembly concurred in.	

JP

**2007
ENROLLED BILL**

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ADOPTED DOCUMENTS:

☒ Orig ☐ Engr SubAmdt

07 -2654/2

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

7-11-07
Date


Enrolling Drafter

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2007 SENATE BILL 179

May 9, 2007 – Introduced by Senator PLALE, cosponsored by Representative MONTGOMERY. Referred to Committee on Commerce, Utilities and Rail.

- 1 **AN ACT to create** 196.374 (5) (bm) 3. of the statutes; **relating to:** calculation of
2 operating revenues of certain energy utilities for the purpose of determining
3 spending on certain energy efficiency and renewable resource programs.

Analysis by the Legislative Reference Bureau

Under current law, investor-owned electric and natural gas utilities, which are referred to as “energy utilities,” are required to spend a specified percentage of their operating revenues on certain energy efficiency and renewable resource programs, and the Public Service Commission (PSC) is required to ensure in rate-making orders that such energy utilities recover from rate payers the amounts spent on the programs. Current law directs the PSC to submit, no later than December 31, 2008, a proposal to the governor and the legislature on how energy utilities should allocate the amounts recovered within different classes of customers.

Current law also imposes requirements on how much energy utilities may recover from “large energy customers” during the period before the proposal goes into effect. A “large energy customer” is defined as a customer that satisfies certain requirements, including having a monthly demand of at least 1,000 kilowatts of electricity or 10,000 decatherms of natural gas. During the period before the proposal goes into effect, an energy utility may recover from a large energy customer the amount that the energy utility recovered from the customer under former law in 2005 for similar programs. As a result, if an energy utility did not, under former law in 2005, collect any revenues from a particular large energy customer for the purpose of recovering the costs of the similar programs, then, during such period, the energy

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utility is not allowed to recover from that customer any costs for the energy efficiency and renewable resource programs.

Under this bill, if an energy utility did not, under former law in 2005, collect revenues from a large energy customer for the purpose of recovering the costs of the similar programs, the PSC is prohibited from including the revenues received by the energy utility from the customer when the PSC determines whether the energy utility has spent the specified percentage of its operating revenues on the energy efficiency and renewable resource programs. This prohibition applies until the proposal described above takes effect.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 196.374 (5) (bm) 3. of the statutes is created to read:

196.374 (5) (bm) 3. Until the proposal under subd. 1. takes effect, the commission may not include the revenues received from a large energy customer in the calculation of operating revenues for purposes of sub. (3) (b) 2. for an energy utility that in 2005 did not collect revenues from its customers under s. 196.374 (3), 2003 stats.

SECTION 2. Effective date.

(1) This act takes effect on July 1, 2007.

(END)